

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

United States District Court
For The District of Maryland

2011 MAR -9 P 3: 23

Midland Funding LLC
Petitioner,

CLERK'S OFFICE
AT GREENBELT

BY *[Signature]* DEPUTY

vs. Case #
Case # CV5-45441-2010

DKC11 CV 0636

United States of America
as Henry T. Gordon
Petitioner.

Memorandum in Support of Affidavit
In Support of Motion for Leave to file Petition
for Removal, Motion for Judgment, Motion to
Dismiss, Motion for Summary Judgment,
Motion for Taking Deposition, Interrogatories
to Parties, Requests, Motion for Expedited
Hearing, Deliberation, Judgment and to
District Court of Prince George's County, Petitioner
to Clerk to address to United States District Court
For The District of Maryland, Jury in forma of pauperis

Introduction

I certify under the penalty of perjury that the information
noted on the Petitioner's District Court of Prince George's County Judgment
and to Clerk to address to this 9TH day of March 2011, based on the law's status,
is true and correct as of case.

Motion for Leave to file

Dear District Court Jury,

Please be advised the clerk's office refused to file 2
a copy of the Respondents lodged papers with the clerk's office until
the counter rule on the Respondents attached paupers motion is a
leave to file is appropriate in this matter, so the court can order the
clerk to file a copy of the Respondents lodged papers with the clerk's
office because a leave to file motion can be filed with any
establishment within or under the jurisdiction of the United States
2A with First Amend under Tantien Amend. by Fifth
Amend.

Respondents Relief sought

The clerk is compelled to file a copy of the Respondents lodged
papers with the clerk's office on 9 March 2011. See, Article 3 of the United States Constitution,
Rule 105 of this court.

Notice of Removal

Dear District Court Jury,

Please be advised on or about 9 December 2010, the
Petitioner filed a lawsuit against the Respondents with the state court re
the Respondents oppose the Petitioner lawsuit to file a timely Requests
for Trial by Jury, Alternative, Counterclaim or Crossclaim, Subpoena and
attachments with the state court as the state court decision date 14
February 2011, establish the state court serve a copy of the Respondents
subpoena and counterclaim or crossclaim as attachments upon the
Petitioner because the Respondents Unspecified Damages is over \$15,000
as Directive 10-23 Adoption of Constitutional Amend 5A-118-
2010 doesn't apply in this situation because the Respondents money damages
is over \$15,000 as Maryland Rule 3-325, Title 28, Section 1607 and Title
28, Section 1605 authorizes the state court to transmit the records
to the Circuit Court of Prince George's County clerk's office within 15
days of filing the Respondents Requests for Trial by Jury with
the clerk in lieu of the clerk alleging on the docket log the jury trial

summons entered in an action is not \$15,000 or more.

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Furthermore, the state court record log further establishes the Petitioner's Affidavit of Return of Service is false, as the Petitioner failed to comply with the state court subpoena until 03/08/2011. Petitioner is guilty of contempt of court before the state court as of the 14, 7, 6, 5 and 1 August 2010 until the Respondents' opening trial before the state court as of when the state court clerk refuses to comply with Maryland Rule 3-325(c) without any sufficient reasons noted in the court docket log. Any prudent individual would assume the state court is derelict. Respondents' has constitutional right to trial by jury, equal protection and due process. see Title 28, section 1443, Title 28, section 1444 and Title 28, section 1331 authorizes the Respondents to remove the state court action to the United States District Court for the District of Maryland (Greenbelt) jury law the First Amendment the Fourteenth Amendment, see Fifth Amendment.

Second, the state court records further establish the Respondents' provided the Petitioner a state court clerk's office a timely notice of a address and telephone number change for the consideration as the Petitioner refused to serve a copy of the state court summons and complaint upon the Respondents new address see Title 28, section 1448 and F.R.C.P. 41(b) authorizes the Respondents to move for a motion to dismiss until to authorize the court to dismiss for a failure to prosecute, comply with the rules or subpoena. Furthermore Title 28, section 1446 clearly establish the parties papers is subject to F.R.C.P. 11 and F.R.C.P. 11 authorizes the Petitioner to provide to the jury leases on the proper order of the court see Title 28, section 1607, Title 28, section 1605, Title 28, section 1443, Title 28, section 1444, Title 28, section 1331, Title 42, section 1983 and Article 38 of the United States Constitution doesn't authorize the Respondents to remove the state court actions to the United States District Court for the District of Maryland Jury prior to 10 March 2011 or the Respondents notice removal is summarily affirmed as when the Petitioner failed to comply with the court rules or subpoena until Title 28, section 1607 and Title 28, section 1605 clearly establish the

Petitioner moves the Petitioner immunity before the filing as is subject to the filing to the filing decision as a party to the Respondent's case and - 4

The jury failed to establish the Petitioner opposing points as authorities papers evident establish the court of jury can determine based on the state court records the District Court of Prince George's County complaint with MR3-325 (C) 001-201, Fourteen, Seventy, Sixth, Fifth and First Amendment, Maryland Declaration of Rights as Maryland Rule 3-612 or establish the Petitioner opposing points as authorities papers evident establish the court of jury can determine based on the state court records to this court that the Petitioner isn't entitled to notice of removal and based on the laws, state's rules or establish the Petitioner opposing points as authorities papers evident establish the court of jury can determine based on the state court records to this court that the Respondent notice of removal is untimely filed with the Clerk's Office or establish the Petitioner opposing points as authorities papers evident establish the court of jury can determine based on the state court records to this court the Respondent notice of removal failed to comply with Title 28, Section 1443, Title 28, Section 1446, Title 28, Section 1441, Title 28, Section 1607, Title 28, Section 1605, Article 3 of the United States Constitution or F.R.C.P. 11 or establish the Petitioner opposing points as authorities papers evident establish the court of jury can determine based on the state court records to this court that the parties didn't stipulate, consent or agree for the jury to grant the Respondent notice of removal, relief sought or notice of removal decision in favor of the Respondent in ruled on 9 March 2011, pursuant to the rules of Evidence of the jury granted the Respondent's Petition for Removal by Title 28, Section 1746; Title 28, Section 1607; Title 28, Section 1605; Title 28, Section 1331; Title 18, Section 1623 (c); Title 18, Section 1621.

Respondent's Relief Sought

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In District Court of Prince George's County case number
CV5-45441-2010 removed to the United States District Court for
In District of Maryland (Baltimore) Jury suit number 100 on 10
March 2011. by Article 30 of the United States Constitution; Title 28,
Section 1446.

Motion for Judgment Altegrave,
Motion to Dismiss, Motion for
Summary Judgment

Dear District Court Jury,

Please be advised the Respondent appraiser
certify MR3-612 authorizing District Court of Prince George's
County to enter judgment unit in favor of the Respondent based
on the stipulation, consent and agree of the parties with
information noted on the Respondent's original District Court of
Prince George's County Judgment unit is true correct based on
the laws, status, rules, and in accordance Title 28, section
1449 authorizing state court to place the records of
judgment unit in the party's or claimant possession on 10
March 2011, and further as the Respondent is concerned. The
Respondent is entitled to judgment unit under Title 28, section
1449 of MR3-612 on 10 March 2011, IN WITH Full Credit
under Fourteenth Amendment by Fifth Amendment.

Second, Article 4 of the United States Constitution
as Title 28, Section 1450 clearly establish the state court records
remain in full force and effect until dissolved or modified by
this court as therupon F.R.C.P. 41(b) authorizing Respondent to seek
Motion to Dismiss unit because the state court records clearly establish
the Petitioner failed to prosecute or comply with 45, 36, 35, 34 and 33
as LR 105 of this court as subpoena unit as Article 30 of the United States

Constitution of F.R.C.P. 41(b) clearly establish the Respondents is entitled to judgment. Unit from the state court under MR 3-6/2 article 28, section 1449 on 10 March 2011, ID with First Amendment the Fourteenth Amendment. 6
See, Fifth Amendment.

Thus LR 105 of this court authorizes the Respondents to move for judgment on any or all of the issues in any action at the close of the evidence offered by an opposing party in a jury trial at the close of all the evidence as LR 105 of this court authorizes the court to give to entry judgment on counterclaim as claim as authorizes the court to give to consider all evidence as inferences in the light most favorable to the Respondents because the Respondents filed the motion first with the clerk's office as authorizes the court to submit the case to the jury for consideration and reserve the court's decision on the motion until after the verdict or discharge of the jury as far as the Respondents is concerned. The Petitioners response paper as evident will summary affirm or disaffirm the Respondents Superior District Court of Prince George's County judgment unit to the court as jury based on the evident in light of the Rules of Evidence ID with First Amendment the Fourteenth Amendment. See, Fifth Amendment.

Fourth, the state court didn't do further establish the case was filed with the state court clerk's office on 9 December 2010, as F.R.C.P. 56 authorizes the Respondents to file a Motion for Summary Judgment unit from this court as per to recover the Respondents judgment unit from the District Court of Prince George's County as to Summary affirm or disaffirm the Respondents Superior District Court of Prince George's County judgment unit based on the evident one as far as the Respondents are appellate court is concerned. This court as jury can't establish the Respondents isn't entitled to judgment unit as a matter of law based on the preponderance of the evidence pursuant to the Rules of Evidence ID with First Amendment the Fourteenth Amendment. See, Fifth Amendment.

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Fifth, the state court records further establish the Petitioner Processor Affidavit of Return of Service is false as the Respondent was never served a copy of the state court summons and complaint on 29 January 2011, 2:10 P.M., as the state court has no jurisdiction over the Respondent as such the Petitioner refuses to return the summons and complaint as served the summons and complaint upon the Respondent in comply with F.R.C.P. 4 prior to the Respondents filing this paper with the clerks office. F.R.C.P. 41(b) authorizes federal and state court to dismiss for insufficient service of process under F.R.C.P. 12(b) for failure to comply with F.R.C.P. 4 as far as the Respondent as appellate court is concerned. Article 3 of the United States and F.R.C.P. 41(b) clearly establish the Respondent is entitled to judgment in its favor under Article 3 of the United States Constitution and F.R.C.P. 41(b) and 12 on 10 March 2011, pursuant to the Rule of Evidence 1A with the First Amendment and the Fourteenth Amendment to the Fifth Amendment.

Sixth, as the undersigning is aware judgment may be entered on counterclaim cross complaint under F.R.C.P. 13 as to prevent the state court from imposing fines and jail time upon the Petitioner, Parties to Processor under Title 28, Section 1746, Title 18, Section 1623 (C), Title 18, Section 1621 or Title 18, Section 461 for contempt or perjury. The state court records further establish the parties stipulated, consented and agreed for the state court to enter judgment in its favor of the Respondent under MR 3-6/2 on 10 March 2011, as per a copy of the Respondent's Debit District Court of Prince George's County Judgment Unit under the above entitled actions docket log on 10 March 2011, as produced prior to the Respondent's properties possession for inspection as per warrant on 10 March 2011, together with proof of service of a copy of a file type signed certificate copy of the Respondent's Debit District Court of Prince George's County certificate of judgment unit as far as the Respondent's appellate court is concerned. F.R.C.P. 13 authorizes the court to order the state court to enter judgment in favor of the Respondent in substance. MR 3-6/2 on 10 March 2011, with Petitioner's opposing points of authority if paper is presented will summarily

affirm or disaffirm this transaction to the County jury base
on the evident pursuant to the Rules of Evidence, I Do With First
Amendment the Fourteenth Amendment by Fifth Amendt.

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Seventh, Title 18, Section 1623(c), Title 18, Section 1621
to Title 18, Section 401 clearly establish contempt copying is
considered a felony offense before the County jury because the jail time
is over six (6) months sole District Court of Prince George's County
has no jurisdiction over felony offense before the court in light of
Section 1-703, 1-605, 1-604 and 1-603 of the Courts of Judicial Proceedings;
MR 4-221-001-201 as Sixth Amendt as must transfer government
the actions to the jury for consideration along with United States
Attorney or State Attorney in this matter so MR 4-221 only authorizes the
District Court of Prince George's County to have preliminary hearing
forthwith to determine the truth of matter or explain to the jury why
the District Court Judge should not be indicted for causing negligence
so to prevent the jury from indicting the state court judge for criminal
negligence. Any prudent individual would assume the District Court of
Prince George's County staff and committee to this court to give
that information notice on the proposed Deposition District Court of Prince
George's County judgment unit is true to content base on the laws,
status, unless you don't agree with the Selections, opposing points as
authoritative paper as evident will summarily affirm or disaffirm
this transaction to the County jury base on the evident pursuant to
the Rules of Evidence, I Do With First Amendment the Fourteenth
Amendment by Fifth Amendt.

Eight, Celotex Corp. v. Catrett, 477 U.S. 317, 323
-24, 106 S. Ct. 2548, 2552-53, 91 L.E.2d 265 (1986)
clearly establish the purpose of summary judgment is to isolate
and then terminate, claims as defenses that are factually
unsupported. Furthermore the above entitled action a docket log
establish the County jury has no evident establishing the District Court of
Prince George's County as parties notice on the proposed Deposition subpoena

unit isn't guilty of contempt, paying, nonfeasance, negligence, breach of agreement based on the evident and a prima facie burden is discharged simply by pointing out to the court of jury that an absence of evidence in support of the non-moving party's claims or defenses. *Celotex Corp. v. Catrett*, 477 U.S. 317, 106 S.Ct. 2548, 91 L.Ed. 2d 265 (1986) although the burden of proof to shift to the respondents to show by affidavit or otherwise that a genuine issue of material fact remains for the factfinder to resolve as *Arcleron v. Liberty Lobby, Inc.*, 477 U.S. 248, 248 106 S. Ct. 2505, 2510, 91 L.Ed. 2d 202 (1986) indicate material fact hinges on the substantive law at issue so fact is material if it affect the outcome of the case as a confession or admission of a charge is sufficient to carry the matter to the jury for consideration so punishment so as far as the respondents as appellate court is concerned. This court of jury can't establish the respondents fails to demonstrate there is a genuine issue material fact remains for the factfinder to resolve in light of the Rules of Evidence ID with First Amendment, the Fourteenth Amendment, see Fifth Amendment.

Ninth, the above entitled statements establish the respondents is entitled to judgment from both courts as a matter of law as far as the Respondents is concerned. This court of jury can not establish the respondents isn't entitled to judgment before both courts pursuant to the Rules of Evidence pursuant to the Rules of Evidence ID with First Amendment ID with the Fourteenth Amendment. See Fifth Amendment.

Next, the Respondents affiant certify the respondents papers complied with F.R.C.P. 56, 41 as 1/2 as L.R. 105 of this court as the matter is before the jury in light of the court is assuming for the moment the court take the case away from the jury as objected the court can opinion in the case on its own motion. *Shannon v. Graves*, 257 F.3d 1164, 1167 (8th Cir. 2001) (citing *Fidelity* "

Deposit Co. v. U.S., 187 U.S. 315, 319-20, 235. Ct. 120, 121-122, 47 L.Ed. 194 (1902), as F.R.C.P. 56 authorizes actions to be submitted to the jury for consideration in arriving at a decision as far as the respondents or appellants are concerned.

The jury failed to establish the Petitioner opposing points or authorities paper or evident establish the court or jury can determine based on the preponderance of the evidence that a genuine issue of material fact remains for the factfinder to resolve or establish the Petitioner opposing points or authorities paper or evident establish the court or jury can determine based on the preponderance of the evidence that the Respondent isn't entitled to judgment as a matter of law before the federal or state court to establish the Petitioner opposing points or authorities paper establish the court or jury can determine based on the preponderance of the evidence that the Petitioner process served a copy of the state court summons or complaint upon the Respondents 29 January 2011, 2:16 P.M., 6402 County Club, Landover, MD. 20785 to establish the Petitioner opposing points or authorities paper establish the court or jury can determine based on the preponderance of the evidence that the Petitioner process Affidavit of Return of service isn't harassing or frivolous without merit based on the law's status rules, evident or case or establish the Petitioner opposing points or authorities paper establish the court or jury can determine based on the preponderance of the evidence that the District Court of Prince George County, Petitioner co-petitioner on the Respondents stipulate that subpoena isn't guilty of contempt, paying, negligence, nonfeasance, fraud, harassment or much or establish the Petitioner opposing points or authorities paper or evident establish the parties didn't stipulate, consent or agree with the jury to grant the Respondents motions, relief sought or enter a dismissal judgment or summary judgment in favor of

the Respondents is submitted on F.R.C.P. 56, 4/1/01/2 on 9 March 2011, pursuant to the Rules of Evidence as the jury granted the Respondents Motion for Judgment, Alleviating Motion to Dismiss, Motion for Summary Judgment, by Title 28, Section 1746; Title 28, Section 1607; Title 18, Section 1605; Title 28, Section 1331; Title 18, Section 1623(c); Title 18, Section 1621; LR105 of this Court.

Respondents relief sought

①. The Petitioner's actions is dismissed with prejudice under F.R.C.P. 41(b) and 12 (b) for insufficient process, insufficient service of process as failure to state a claim upon which relief can be granted as the parties is compelled to comply with the Respondents Duplicate District Court of Prince George's County judgment unit personally as forthwith, by Article 3 of the United States Constitution; F.R.C.P. 56, 4/1/01/2; LR105 of this court.

②. The District Court of Prince George's County Administrative Judge is compelled to enter judgment unit in favor of the Respondents individual, Mr. R. 3-612 on 10 March 2011, and file a copy of the Respondents Duplicate District Court judgment unit with the Clerk's Office on 10 March 2011, to produce copies in the Petitioner's Respondents place of office is the court person for inspection separately on 10 March 2011, together with proof of service of a filed type signed certified copy of the Respondents Duplicate District Court judgment unit as certified by Article 3 of the United States Constitution; F.R.C.P. 56, 4/1/01/2; LR105 of this court.

Motion for Evidentiary Hearing

Dear District Court Jury,

Please be advised Title 28 Section 1446 authorizes the Respondents notice of removal to be examined promptly as of clearly appear on the face the notice and attachments should not be granted. The court shall make an order for

summary reward or hold a evidentiary hearing forthwith. 12
However, the records establish this paper is before the court in
line of the court with Respondent. Opponent fails to bring the
Respondent's notice of removal should be granted. as attorney
F.R.C.P. 39 (a) authorizes the court to determine trial by jury
doesn't exists under the constitution or statutes of the United States
court can enter an order for summary reward or Title 28, Section
1653 and F.R.C.P. 39(a) doesn't authorize the court to enter an
order for summary reward until further order from the
Court of Appeals inasmuch as LR 105 of this court as Title 28,
Section 1447 authorizes Petitioner to file a timely motion to
remove with the Clerk's Office or this court has no jurisdiction to
enter order of summary reward as full as the Respondent
as appellate court.

If jury fails to establish the Petitioner opposing
points to authorizes paper, court will establish the court as
jury can determine based on the procedure of the evidence
that the court enter order of summary reward decision as establish
the Petitioner opposing points as authorizes paper, court
establish the court as jury can determine based on the procedure of the
evidence that the parties didn't stipulate, consented or agreed for the jury to
grant the Respondent's motion relief sought as well as hearing
decision in favor of the Respondent and Title 28, Section 1446 on 9 March
2011, pursuant to the Rule of Evidence authorizing grants the Respondent
Motion for Evidence Hearing. See Title 28, Section 1746; Title 28, Section
1607; Title 28, Section 1605; Title 18, Section 1623 (c); Title 18, Section 1621;
LR 105 of this court.

Respondent's relief sought

Respondent's evidentiary hearing shall be held for the date,
time and location noted on the Respondent's original court summons. See,
Title 3; Title 28, Section 1446; LR 105 of this court.

Requests for Trial by Jury

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Dear District Court Jury,

Respondents request trial by jury.

Requests for Findings and
Conclusion by the Jury

Dear District Court Jury,

Respondents request the jury to find the facts
separately and state its conclusions of law separately.

Requests for Scheduling
Case for Trial by Jury

Dear District Court Jury,

Respondents request the jury to provide the Respondents
a jurisdictional date, time, location notice on the Respondents district court
suspension unit.

Requests for Freedom of Information
Act, Alternative, Notice Taking
Deposition, Interrogatories to
Parties, Requests

Dear District Court of Prince George's County, Petitioner, any custodian of
Records, Parties, Attorney and Clerk

Respectfully request the parties to allow the Respondents to
inspect copy the records notice before the Respondents on 10 Jun 1976, 8:00 A.M.
My to inspect the records notice before the Respondents on 10 Jun 1976

copying the records noted below, the respondents on 10 Jun 1976, to file a copy of the respondents legal papers with the clerks office on the receive date or with the Clerk on 10 Jun 1976, cost will from the movers note before the respondents on 10 Jun 1976, item notice before the respondents to produce and place with petitioners, respondents, process server and this court duly possessed of a copy to appear before on 10 Jun 1976, together with proof of service in the of filed type signed certified copy of the respondents duplicate District Court certificate, statement of intent to judgment and, several filed type signed certified copy of the respondents duplicate parties confession, a filed type signed copy of the respondents duplicate petition, ex parte certificate of conspiracy, waiver consent, stipulation consent, several type signed certificate copy of the respondents duplicate District Court parties and Clerk docket log, several copy of the respondents duplicate District Court envelope, a filed signed copy of the respondents duplicate Clerk subpoena, a file copy of the papers as item noted on the respondents as the stipulation, settlement, subpoena signed and filed.

Proof of Service

I certify the copy of the foregoing motions as attachments was forwarded by first class postage paid via mail service on the 8TH day of March 2011 to:

Neal T. Markowitz, Esq.
7350 B- Street, Rd.
Columbia, MD 21044

Affiant in support of
Declaration of signature

Pursuant to Title 28, Section 1746, I certify, the penalty of perjury, that the foregoing information consisting of 15 pages is true and correct on the 8TH day of March 2011, based on the foregoing stipulation and is true to the best of my knowledge and belief.

Affant says the man.

Respectfully submitted,
Henry T. Sack
4645 Wayne Ave, Apt. #D3
Hyattsville, MD. 20784
(301)772-1616
8 March 2011